

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

RICKY SOUCY, SR.,)
)
Plaintiff)
)
v.) 1:20-cv-00024-JDL
)
MAINE DEPARTMENT OF)
CORRECTIONS, et al.,)
)
Defendants)

**RECOMMENDED DECISION ON
MOTION FOR DEFAULT JUDGMENT**

Plaintiff asks the Court to enter default judgment against Defendants because he did not receive Defendants' response to his complaint until six days after the deadline the Court established for Defendants to file their response. (Motion, ECF No. 35.)

By order dated October 20, 2020, the Court directed Defendants to file their response to Plaintiff's complaint within 14 days of the Court's order. (Order at 6, ECF No. 31.) On November 3, 2020, 14 days after the date of the Court's order, Defendants filed their response to the complaint. (Response, ECF No. 33.) While Plaintiff might not have received the response until several days after November 3, Defendants complied with the Court's order. The record, therefore, lacks any basis for the entry of default or default judgment. Accordingly, I recommend the Court deny the motion for default judgment.

NOTICE

A party may file objections to those specified portions of a magistrate judge's report or proposed findings or recommended decisions entered

pursuant to 28 U.S.C. § 636(b)(1)(B) for which de novo review by the district court is sought, together with a supporting memorandum, within fourteen (14) days of being served with a copy thereof.

Failure to file a timely objection shall constitute a waiver of the right to de novo review by the district court and to appeal the district court's order.

/s/ John C. Nivison
U.S. Magistrate Judge

Dated this 28th day of December, 2020.